

**BY-LAW 8-2014
OF THE
TOWN OF VERMILION
(hereinafter referred to as the "Municipality")
IN THE PROVINCE OF ALBERTA**

**BEING A BY-LAW OF THE TOWN OF VERMILION
IN THE PROVINCE OF ALBERTA
TO PROVIDE FOR THE ESTABLISHMENT AND
OPERATION OF FIRE PROTECTION SERVICES**

WHEREAS the Council of the Town of Vermilion wishes to establish a fire service within the Municipality and to provide efficient operation of such fire service all pursuant to the laws of the Province of Alberta;

AND WHEREAS the Council of the Town of Vermilion wishes to regulate the use and setting of fires;

NOW THEREFORE the Council of the Town of Vermilion duly assembled enacts as follows:

SECTION 1 - TITLE

1.1 This Bylaw may be sited as the Town of Vermilion Fire Bylaw.

SECTION 2 - DEFINITIONS

2.1 In this Bylaw, unless the context otherwise requires:

- 1) "Alberta One-Call" means a communication service between the digging community and the owners of buried facilities, to arrange for the marking of the location of buried facilities before a ground disturbance takes place;
- 2) "Apparatus" means any vehicle provided with machinery, devices, equipment, or materials for fire fighting as well as any vehicles used for transporting fire fighters or supplies;
- 3) "Contained Fire" means a fire which is totally confined within a non-combustible structure or container and which is ventilated in such a manner as to preclude the escape of combustible materials including ash;
- 4) "Council" means the Council of the Town of Vermilion;
- 5) "Equipment" means any tools, contrivances, devices, or materials used by the Fire Department to combat an incident or other emergency;
- 6) "False Alarm" means any notification to the Fire Department or any member respecting the existence of a condition, circumstance, or event containing an eminent serious danger to persons or property wherein such a condition, circumstance, or event is in fact not an existence;
- 7) "Fire" means any combustible material in a state of combustion;
- 8) "Fire Chief" means the member appointed as the head of the Fire Department;
- 9) "Fire Department" means the department established by this Bylaw and includes any person duly appointed to the Fire Department by Council or the Fire Chief;

- 10) **"Fire Department Property"** means all property owned or controlled by the Municipality and designated for use by the Fire Department regardless of the source of the property;
- 11) **"Fireworks"** means all manner of flammable or explosive devices designed for entertainment purposes and includes, but is not limited to, fireworks as defined by the Alberta Fire Code, 1997, as amended or repealed and replaced from time to time;
- 12) **"Fire or Emergency Lane"** means all that portion of a Highway used to provide access to buildings, and so marked by signs stating "Fire Emergency Lane";
- 13) **"Fire Permit"** means a document issued by the Fire Department pursuant to this Bylaw;
- 14) **"Fire Protection"** means all aspects of fire safety including, but not limited to, fire prevention, fire fighting or suppression, fire planning, fire inspection, fire investigation, public education and information, training, or other staff development advising and responding to a request for fire protection (including legitimate emergencies and false alarms);
- 15) **"Fire Protection Charge"** means any or all costs incurred by the Fire Department in providing fire protection;
- 16) **"Incident"** means a fire, a situation where a fire or explosion is eminent, or any other situation presenting fire or possible danger to life or property;
- 17) **"Incinerator Fire"** means a fire that is confined within a non-combustible structure or container that has the draft and smoke vents thereof covered with a gauge metal screen that is approved and licensed by Alberta Environment by the Clean Air Act which fire is set for the purpose of burning household refuse;
- 18) **"Member"** means any person that is a duly appointed member of the Fire Department and includes the Fire Chief;
- 19) **"Municipality"** means the Town of Vermilion;
- 20) **"Officer"** means a member appointed as the Fire Chief or a Deputy Fire Chief;
- 21) **"Outdoor Fire"** means any fire not contained within a building or structure and shall include fire involving humus soil, piles of coal, farm produce, waste, bush, grass, seed, straw, or any fire that has escaped or spread from a building, structure, machine, or vehicle, and any fire set for the purpose of thawing frozen ground;
- 22) **"Peace Officer"** means a member of the Royal Canadian Mounted Police, a member of a Municipal Police Service, a Special Constable appointed by the Town of Vermilion pursuant to the provisions of the Police Act, RSA 2000 P-17 as amended or repealed and replaced from time to time, a Municipal Enforcement Officer, or a Community Peace Officer appointed by the Town of Vermilion pursuant to the Municipal Government Act.
- 23) **"Property"** means any or personal property which, without limiting the generality of the foregoing, includes land and structures;

- 24) **"QMP"** means Quality Management Plan of the Town of Vermilion as provided under the Safety Codes Act of the Province of Alberta;
- 25) **"Recreational Fire"** means a fire on land owned or leased by the Municipality or its agents, or land owned or leased by the Province of Alberta or its agents for recreational purposes and is confined to a non-combustible container, or the Province of Alberta, or agents as approved by a member which is set for the purpose of cooking, obtaining warmth, or viewing for pleasure. Such fire may only be fuelled with seasoned wood, charcoal, coal, natural gas, or propane;
- 26) **"Running Fire"** means a fire burning without being under proper or any control of any person;
- 27) **"Safety Codes Officer"** means a member that has received the designation of powers as provided under the Safety Codes Act of the Province of Alberta;
- 28) **"Smudge Fire"** means a fire confined within a non-combustible structure or container that is set on land of one acre or more in area for the purpose of protecting livestock from insects or for protecting garden plants from frost;
- 29) **"Structure Fire"** means a fire confined to and within any building, structure, machine, or vehicle which will, or is likely to cause the destruction of or damage to such building, structure, machine, or vehicle excluding an incinerator fire;

SECTION 3 - FIRE CHIEF AND APPOINTMENT OF MEMBERS

- 3.1 The Fire Chief shall be appointed by Council.
- 3.2 The Fire Chief shall be responsible to the CAO.
- 3.3 The Fire Chief may appoint a Deputy Fire Chief with the prior approval of the Council for the Town of Vermilion.
- 3.4 The Fire Chief shall supervise the Deputy Fire Chief.
- 3.5 The Fire Chief has complete responsibility and authority over the Fire Department subject to the direction and control of the CAO to which he or she shall be responsible and in particular, may carry out all fire protection activities and such other activities as Council directs including, but not limited to:
- 1) Rescues;
 - 2) Emergency medical services (excepting ambulance services);
 - 3) Pre fire planning;
 - 4) Disaster planning;
 - 5) Preventative patrols;
 - 6) Inspection of buildings, structures, and premises;
 - 7) Administration and compliance within the Quality Management Plan (QMP).

- 3.6 The Fire Chief, subject to the ratification by Council, may establish rules, regulations, policies, and committees necessary for the proper organization and administration of the Fire Department, including but not limited to:
- 1) Use, care, and protection of Fire Department property;
 - 2) Conduct and discipline of officers and members of the Fire Department;
 - 3) Efficient operations of the Fire Department;
 - 4) Training of officers and members of the Fire Department.
- 3.7 The Fire Chief, or in his or her absence, the member or officer present shall have control, direction, and management of any Fire Department apparatus, equipment, manpower, assigned to an incident and where a member is in charge, he or she shall continue to act until relieved by an officer authorized to do so.
- 3.8 The Fire Chief or the member in charge at an incident, may at his or her discretion, establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits, unless authorized to enter by him or her.
- 3.9 The Fire Chief or the member in charge at an incident may request Peace Officers to enforce restrictions on persons entering within the boundaries of limits outlined in sections 3.8.
- 3.10 The Fire Chief or the member in charge at an incident is empowered to take all steps he or she deems necessary in order to directly or indirectly combat control or deal with an incident including:
- 1) Pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter or pass through or over the building or property;
 - 2) Cause a building, structure, or thing to be pulled down, demolished, or otherwise removed;
- 3.11 The Fire Chief or member in charge may obtain assistance from other officials of the Municipality as he or she deems necessary in order to discharge his or her duties and responsibilities under this Bylaw.
- 3.12 Regulations, rules, or policies made pursuant to Section 3.6 of this Bylaw shall not be inconsistent with the legislation and regulations of the Province of Alberta.
- 3.13 The limits of the jurisdiction of the Fire Chief, Officers, and Members of the Fire Department will extend to the area and boundaries of the Municipality and no part of the fire apparatus or equipment shall be used beyond the limits of the jurisdiction without:
- 1) The express authorization of a written contract or agreement providing for the supply of fire protection outside the Municipality's boundaries or,
 - 2) The approval of Council.

SECTION 4 - POWERS OF FIRE MEMBERS

- 4.1 Each member shall have the authority and power to:
- 1) Extinguish or control the fire or the operation to preserve life and property and enter onto any property for the purpose of extinguishing or controlling the fire;
 - 2) Prevent interference with the efforts of persons engaged in the extinguishing of fires or preventing the spread thereof by regulating the conduct of the public at, or in the vicinity, of any fire;

SECTION 5 - POWERS OF OFFICERS

- 5.1 Each officer shall have the authority and power to:
- 1) During an incident commandeer and authorize payment for the possession or use of any equipment for the purpose of fighting the fire, where the payment has been authorized pursuant to the budget for the Fire Department.

SECTION 6 - POWERS OF SAFETY CODES OFFICERS

- 6.1 Each Safety Codes Officer shall have the authority and power to:
- 1) Respecting fire permits, including the authority and power to:
 - i) issue a fire permit in respect of any land within the Municipality;
 - ii) issue a fire permit unconditionally or impose conditions upon the applicant, which the member in his or her discretion considers appropriate;
 - iii) suspend or cancel at any time a fire permit;
 - 2) Administer a portion of the Safety Codes Act and its regulations pertaining to the Fire Discipline, including compliance monitoring under the Alberta Fire Code, the determination of the cause and origin of fires, and the reporting of fires.
 - 3) perform compliance monitoring which may include
 - i) inspection of buildings, structures, and places for fire code compliance based on a written complaint, request, or in an emergency situation, in accordance with Municipal policy.
 - ii) where non-compliance is identified through inspection and efforts to comply are not reasonably forthcoming, the Safety Codes Officer may issue an order.

SECTION 7 - FIRE PROTECTION CHARGES

- 7.1 Upon providing fire protection on property within or outside the Municipality's boundaries, the Municipality may, in its sole or absolute discretion, charge:

- 1) The person causing or contributing to the fire or,
 - i) the owner or occupant of the property;
 - ii) the fire protection charge and all individuals charged are jointly and severally responsible for the fire protection charge;
- 7.2 The Schedule of Fees for fire protection charges shall be as set out in Schedule "A" attached hereto and forming part of this Bylaw.
- 7.3 A fire protection charge shall be paid within sixty (60) days of being levied.
- 7.4 Collection of unpaid fire protection charges may be undertaken by a civil action in a Court of Competent Jurisdiction and any civil action does not invalidate any lien, which the Municipality is entitled to on the property in respect of which the indebtedness is incurred.
- 7.5 The owner of a parcel to which fire protection is provided is liable for fire protection charges incurred and the Municipality may add to the tax roll of a parcel of land, all unpaid fire protection charges.

SECTION 8 – FIREWORKS

- 8.1 No person shall wholesale, display for sale, offer for sale, sell, possess, or store any Fireworks within the Town of Vermilion without the written permission of the Town of Vermilion Fire Department.
- 8.2 No person shall obtain, purchase, set off, discharge, or otherwise handle Fireworks within the Town of Vermilion without the written permission of the Town of Vermilion Fire Department.
- 8.3 No person shall sell Fireworks to anyone under the age of eighteen (18) years.
- 8.4 A retail vendor wishing to sell Fireworks to persons in the Town of Vermilion must retain all the information required from every purchaser by the Alberta Fire Code for a period of not less than two (2) years as outlined in the Alberta Fire Code. This information will include:
 - 1) the date of the sale;
 - 2) the name, address, and phone number of the purchaser;
 - 3) a description of the fireworks sold;
 - 4) the date and time the Fireworks will be discharged;
 - 5) the location and description of the site where the Fireworks will be discharged;
 - 6) a copy of the written permission to discharge, issued by the Fire Department of the municipality where the Fireworks will be discharged, or from a Forest Officer where the discharge is to take place within a forest protection area; and
 - 7) a copy of the written permission to purchase Fireworks issued by the Town of Vermilion Fire Chief.

- 8.5 No Person shall use or explode any form of Firework on any Highway or Public Place under the authority of the Town except where authorized pursuant to written permission lawfully issued to that individual by the Town.
- 8.6 No Person shall use or explode Fireworks or permit a Firework to be used or exploded, on property Owned or Occupied by that Person unless permitted to do so in accordance with written permission issued by the Town.
- 8.7 Where a Person has been issued a permit by the Town authorizing the use or explosion of Fireworks, that Person shall at all times comply with the terms and conditions set out in the permission letter, and any Person who fails to do so shall be guilty of an offence and subject to a penalty as set out at Schedule "B" of this By-Law.
- 8.8 Notwithstanding permission has been issued or that the Person in receipt of permission is in compliance with the terms and conditions of that Permit, the Fire Chief may where, in his or her opinion, the prevailing weather or other conditions increases the likelihood of fire, revoke all existing permission and issue a complete ban on the use of Fireworks for a period of time which, in the opinion of the Fire Chief, is warranted under the circumstances.
- 8.9 Where the Fire Chief has determined to issue a complete ban in accordance with the provisions of Section 8.8 above, the Fire Chief shall cause notice of his or her decision to be published in at least one edition of a newspaper having general circulation within the boundaries of the Town, advertising the imposition of the ban and the time period for which the ban is in force, and such an advertisement will be deemed good and sufficient notice to all applicants who have received permission.
- 8.10 Any Person using or exploding Fireworks, or permitting the use or explosion of Fireworks, on their property contrary to a ban issued by the Fire Chief and advertised in accordance with Sections 8.8 and 8.9 above, shall be guilty of an offence and subject to a penalty as set out at Schedule "B" of this By-Law.

SECTION 9 – FIRE PERMITS

- 9.1 An application for a fire permit for an outdoor fire or a structure fire shall be made to the Fire Department in writing on the form adopted by the Municipality from time to time. The officer shall receive and consider the application and after having done so, he or she may in his or her absolute discretion, issue the applicant a fire permit.
- 9.2 When issuing a fire permit, the Fire Department may issue the fire permit unconditionally or impose conditions considered appropriate.
- 9.3 Council, or an officer, may, in its absolute discretion, suspend or cancel a fire permit at any time.
- 9.4 Each application for a fire permit must contain the following information:
- 1) The name and address of the applicant.
 - 2) The legal description of the land in which the applicant proposes to set a fire.
 - 3) Material used for fire pit construction.
 - 4) Ticket Number received after making a request to Alberta One Call to mark utility lines.

- 5) A site plan showing the proposed location of the outdoor receptacle in relationship to other improvements on the property.
 - 6) The type and description of materials which the applicant proposed to burn.
 - 7) The precautions, if any that will be taken by the applicant to ensure the proposed fire remain under his or her control.
 - 8) Agreement by the applicant that they will be responsible for any and all costs for extinguishing the fire, if required.
 - 9) The signature of the applicant.
 - 10) Each application for construction of an acceptable fire pit, acceptable fireplace, or above ground receptacle, shall be accompanied by a fee as provided in Schedule "A" of the Bylaw.
- 9.5 In making a decision, the Safety Codes Officer may approve the application conditionally, subject to those conditions considered appropriate, approve the application permanently, or for a limited time period, or refuse the application.
- 9.6 A fire permit is not transferable.
- 9.7 Acceptable fire pits will be permitted within the Town of Vermilion under the following conditions:
- 1) Construction:
 - i) located in the back yard only (side yards are not permitted);
 - ii) fire pit will be located no less than 3.0 m from any property line;
 - iii) fire pit will be located no less than 3.0 m from any structure (fence, deck, garage, shed, or dwelling);
 - iv) fire pit acceptable design
 - a. 1.2 m maximum pit opening;
 - b. .60 m minimum pit opening;
 - c. 1 m minimum pad surrounding pit constructed from non-combustible material (patio block or poured concrete preferred);
 - d. fire pit walls shall be a minimum of 10 cm thick by 40 cm deep with a minimum of 15 cm of wall height above ground;
 - e. fire pit walls must be lined with a fire brick liner with a high temperature cement mortar (a 5 mm steel liner may be used in lieu of fire brick);
 - f. a minimum of 10 cm of non-combustible fill must be provided in the bottom of the pit;
 - g. a fire retention screen capable of covering the pit but protruding beyond the perimeter of the pit must be provided;

9.8 Acceptable fireplace, which is an outdoor receptacle, will be permitted within the Town of Vermilion under the following conditions:

- 1) Location:
 - i) located in the backyard only (side yards are not permitted);
 - ii) a minimum of 1 m clearance measured from the nearest fireplace edge is maintained from buildings, property lines, or other combustible material;
 - iii) the fireplace is constructed of materials such as bricks or rocks that are heat and flame resistant;
 - iv) the fireplace is equipped with a chimney that is not less than 2.5 m in height when measured from the base of the fire burning area; v) the fireplace chimney is equipped with a regulation screen designed to contain and reduce the hazards of air born sparks;
 - v) the base of the fire burning area is not less than .3 m above the surrounding grade;
 - vi) the fire chamber does not exceed 1.25 m in width and is at least .4 m but not more than .6 m in depth;

9.9 Acceptable above ground receptacles such as fire bowls, chimineas, and fire pits must adhere to the required regulations as stated in clause 9.7 and 9.8 and must be chained to the ground to eliminate the receptacle being transferred from one site to another.

9.10 Permitted uses for acceptable fire pit, fireplace, and above ground receptacles are as follows:

- 1) Cooking of food for human consumption:
- 2) For warmth.
- 3) Fire is attended by a person of competence to supervise it at all times.
- 4) Only clean and dry materials are to be burned.

9.11 Prohibited material for use in acceptable fire pit and acceptable fireplace is as follows, but not limited to:

- 1) Household refuse, garbage, leaves, straw, and/or painted wood.
- 2) Construction materials.
- 3) Materials made of or containing rubber, plastic, or similar material that will have the potential to create a nuisance.
- 4) Any fires generating absorbent quantities of smoke may be subject to extinguishment. Failure to adhere to these guidelines may result in the imposition of a fine or penalty.

9.12 An application for construction of an acceptable fire pit, or for the placement of an acceptable fireplace, shall be made to the Fire Department in writing on the form adopted by the Municipality from time to time. The Safety Codes Officer shall receive and consider the application and after having done so, he or she may in his or her absolute discretion, issue the applicant a permit.

- 9.13 An Officer may in his or her absolute discretion, suspend or cancel the acceptable fire pit or acceptable fireplace permit at any time.
- 9.14 Council may, in its absolute discretion, suspend or cancel an acceptable fire pit or acceptable fireplace permit at any time.
- 9.15 Each application for an acceptable fire pit or acceptable fireplace must contain the following information:
- 1) The name and address of the applicant;
 - 2) The legal description of the land on which the applicant proposes to establish the outdoor receptacle.
 - 3) A site plan showing the proposed location of the outdoor receptacle in relationship to other improvements on the property.
 - 4) Any provision for vehicle parking, access, and egress points to the site, as well as fence locations, residential building locations, and accessory building locations, together with the location of the proposed acceptable fire pit, or acceptable fireplace and applicable distances.
 - 5) Each application for construction of an acceptable fire pit or placement of an acceptable fireplace shall be accompanied by a fee as provided in Schedule "A" of the Bylaw.
- 9.16 In making a decision, the Safety Codes Officer may approve the application conditionally approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited time period, or refuse the application.

SECTION 10 - ENFORCEMENT

- 10.1 Where property does not comply with this Bylaw or a person contravenes this Bylaw, the Municipality may pursue its enforcement alternatives in accordance with any act or common law right including, issuance of an order to remedy contraventions, remedying contraventions by the Municipality, adding amounts to the tax roll, and pursuing injunctions pursuant to the Municipal Government Act.

SECTION 11 - NOTICE

- 11.1 Any notice provided for in this Bylaw shall be in writing.
- 11.2 Service of any notice provided for in this Bylaw, may be made as follows:
- 1) Personally upon the person to be served, or
 - 2) By mailing a copy to the person to be served by registered mail or certified mail to the last known post office address of the person to be served and service shall be deemed to be effective at the time the copy is delivered by an official of the post office to the person to be served, or to any person receiving it on his or her behalf.
 - 3) Where the property is not occupied by mailing the notice by registered mail, or certified mail, to the mailing address noted on the Municipality's tax roll for that property, and service shall be deemed to be effected at the time the copy is delivered by an official of the post office to the person to be served, or to any person receiving it on his or her behalf, or as directed by the Court.

SECTION 12 - APPEAL

- 12.1 A person who considers himself aggrieved by a written order pursuant to this Bylaw, may appeal the decision to the Council under the terms prescribed by the Municipal Government Act.

SECTION 13 - INTERFERENCE WITH DUTIES

- 13.1 No person shall obstruct the member of the Fire Department or a person authorized to inspect property or to perform any work necessary to remedy a condition from performing his or her duties under this Bylaw.

SECTION 14 - OFFENCES

- 14.1 No person shall:
- 1) Impede, obstruct, or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge at any incident.
 - 2) Damage or destroy Fire Department apparatus or equipment.
 - 3) At an incident, drive a vehicle over any apparatus or equipment without permission of the Fire Chief or the member in charge.
 - 4) At an incident, enter the boundaries or limits of an area prescribed in accordance with Section 3.8 unless he or she has been authorized to enter by the Fire Chief or the member in charge.
 - 5) Obstruct a member from carrying out any function or activity related in any way to fire protection.
 - 6) Falsely represent himself or herself as a member or wear or display any Fire Department badge, cap, button, insignia, or other paraphernalia for the purpose of such false representation.
 - 7) Obstruct or otherwise interfere with access roads or streets or other approaches to any other fire alarm, fire hydrant, any connections provided to a fire main pipe, stem pipe, sprinkler system, cistern, or other body of water designated for fire fighting purposes.
 - 8) Light any fire including an outdoor fire or structure fire unless that person is the holder of a subsisting fire permit, unless:
 - i) the fire is in an approved incinerator;
 - ii) the fire has been set by a member for the purpose of training members;
 - iii) the fire is a recreational fire.
 - 9) Permit an outdoor fire or structure fire to be lit upon lands that is owned or occupied by that person, or under that person's control, except when such a fire is allowed under this Bylaw.
 - 10) When a fire is set under the circumstances described in Section 13.1(8) the owner or occupier of the land, or the person having control of the land upon which the fire is lit, shall:
 - i) extinguish the fire immediately, or

- ii) if unable to extinguish the fire immediately, report the fire to the Fire Department.
- 11) Either directly or indirectly, personally, or through an agent, servant, or employee, kindle a fire or let it become a running fire on any land, not his or her own property, or to allow a running fire to pass through his or her own property to the property of another.
 - 12) Light a fire without first taking sufficient precautions to ensure that the fire can be kept under control at all times.
 - 13) Light a fire when the weather conditions are conducive to creating a running fire.
 - 14) Fail to take reasonable steps to control a fire for the purpose of preventing it from becoming a running fire, or from spreading onto property other than his or her own.
 - 15) Deposit, discard, or leave any burning matter or substance where it might ignite other materials and cause a fire.
 - 16) Conduct any activity that involves the use of fire that might reasonably be expected to cause a fire unless that person exercises reasonable care to prevent the fire from occurring.
 - 17) Knowingly make a false statement in a fire permit application.
 - 18) Use a fire to burn:
 - i) manure;
 - ii) livestock or other animal carcasses unless the same is burned pursuant to the terms of a permit or within an approved incinerator;
 - iii) material that will result in the production of dense black smoke including insulation from electrical wiring or equipment, asphalt, roofing materials, hydro-carbons, plastics, or other materials of creosoted wood, or
 - iv) herbicides, pesticides, or other toxic materials or substance.
 - 19) Conduct any activity that involves the use of a fire where smoke from the fire will impede visibility of the vehicular traffic and pedestrian traffic on any highway as defined in the Traffic Safety Act, RSA 2000 c.T-6 or amendments thereto.
 - 20) Light a fire or burn any material contrary to Federal, Provincial, or Municipal legislation, or regulations.
 - 21) Use a fire to burn all normal waste which results from the operation of a household or commercial business or occupation and shall include without restricting the foregoing, paper, rags, lawn and hedge clippings, packaging materials, and waste from the preparation of food, unless the same is burned pursuant to the terms of a permit or within an incinerator.

SECTION 15 - PENALTIES

15.1 Any person who:

- 1) Violates any provision of this Bylaw;
- 2) Suffers or permits any act or thing to be done in contravention of or in violation of any provision of this Bylaw;
- 3) Neglects to do or refrains from doing anything required to be done by the provisions of this Bylaw, or;
- 4) Does any act or thing or omits any act or thing thus violating any provision of this Bylaw, is guilty of an offence under this Bylaw and upon a conviction is liable to a fine of not less than \$100.00 and not more than \$2,500.00 as outlined in Schedule "B" to this Bylaw.

SECTION 16 - VIOLATION TAGS

16.1 A Peace Officer is hereby authorized and empowered to issue a violation tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

16.2 A violation tag may be issued to such person:

- 1) Either personally, or
- 2) Mailing a copy to such person at his or her last known post office address.

16.3 The violation tag shall be in a form approved by the Municipality or the responsible officer of the Municipality and shall state:

- 1) The name of the Violator.
- 2) The offence.
- 3) The appropriate penalty for the offence as specified in Schedule "B" of this Bylaw.
- 4) That the penalty shall be paid within thirty (30) days of the issuance of the violation tag.
- 5) Any other information as may be required by the Municipality.

16.4 Where an offence of this Bylaw continues for more than one day, a Peace Officer may issue one violation tag for each day that the offence continues.

16.5 Where a violation tag is issued pursuant to this Bylaw, the person to whom the violation tag is issued, may in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified in the violation tag.

16.6 Nothing in this Bylaw shall prevent a Peace Officer from immediately issuing a violation ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.

SECTION 17 - VIOLATION TICKETS

17.1 If the penalty specified in a violation tag is not paid within the prescribed time period then a Peace Officer may issue a violation ticket pursuant to Part II of the Provincial Offences Procedure Act.

SECTION 18 - MISCELLANEOUS

- 18.1 Nothing in this Bylaw shall be construed to give the Fire Department or the Fire Chief control or authority respecting ambulance services.
- 18.2 Should any section or part of this Bylaw be found to be improperly enacted or ultravires for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.
- 18.3 Bylaws 1-85, 4-99, 4-04, and 1-10 are hereby repealed.

SECTION 19 - EFFECTIVE DATE

- 19.1 This Bylaw shall come into force and effect on the final date of passing thereof.

READ A FIRST TIME IN COUNCIL THIS 17 DAY OF June, A.D. 2014

B. MacCuff
Mayor

Steve Bell
Town Manager

READ A SECOND TIME IN COUNCIL THIS 15 DAY OF July, A.D. 2014

B. MacCuff
Mayor

Steve Bell
Town Manager

READ A THIRD TIME IN COUNCIL THIS 15 DAY OF July, A.D. 2014 AND FINALLY PASSED.

B. MacCuff
Mayor

Steve Bell
Town Manager

15
SCHEDULE "A"
TO BYLAW 8-2014

TOWN OF VERMILION FIRE INSPECTION AND ADVISORY SERVICES
FEES AND CHARGES

SUB SCHEDULE 1

<u>Fire Truck Call Out</u>	First Two Hours	\$ 300.00
	Per Hour After 2 Hours	\$ 100.00
	Per Man Hour	\$ 30.00
	Km. Rate	\$ 1.50
<u>Rescue Unit Call Out</u>	Per Hour	\$ 400.00

1. Fees and charges are to be assessed when the Town of Vermilion fire equipment leaves the boundaries of the Town of Vermilion.
2. Fees and charges are to be assessed when fire equipment responds for vehicle, equipment fires, or accidents in the Town of Vermilion when the vehicles or equipment are not owned by a resident or land owner of the Town of Vermilion or the County of Vermilion River #24.

16
SCHEDULE "A"
TO BYLAW 8-2014

SUB-SCHEDULE 2

Inspection Services	Fire Safety Inspections & Preplans	\$40.00 per hour Minimum Charge \$40.00 plus established fees for Safety Codes Council
Reports	A fee of \$25.00 per inquiry shall be levied for second party written information	\$25.00 per inquiry plus established fees for Safety Codes Council
False Alarms	Any building owner who fails to notify the Fire Department that work is being done on a sprinkler or alarm system shall be first issued with a verbal warning. The second response will be in the form of a registered letter and shall be sent to the legal owner upon responding to the second incident. A fee of \$300.00 per response may be charged to any building owner who fails to notify the Fire Department that work is being done on a sprinkler or alarm system for any alarm that comes in subsequent to the written warning.	First Response – Warning Verbal Second Response – Warning Written Subsequent Responses In Calendar Year - \$300.00
Fire Works	Fee for sale of Low Hazard Fire Works	\$20.00 per permit plus a site inspection is required at \$40.00/hour. Minimum Charge \$60.00 plus established fees for Safety Codes Council
Acceptable Outdoor Fire Pits Acceptable Outdoor Fireplace	A site plan showing the legal description of the property, the front, rear, and side yards. Any provision for vehicle parking, access, and egress points to the site as well as fence locations, residential building locations, and accessory building locations, together with the location of the proposed fire pit and applicable distances. Each application for construction of a fire pit shall be accompanied by a fee as established for inspection services with the minimum charge being applied. In making the decision the Vermilion Fire Department may approve the application, unconditionally approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application	\$50.00 per permit plus established fees for Safety Codes Council

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SCHEDULE "A"
TO BYLAW 8-2014

SUB-SCHEDULE 3

SCHEDULE A OF SUB-SCHEDULE 3

<u>SERVICES</u>	<u>FEES</u>
Handling Charge for the Alberta Fire Code.	\$ 5.00 per copy
Development and Issuance of Alberta Fire Code Letters of Approval for products or systems regulated by the Alberta Fire Code at the request of the proponent of the product or system.	\$100.00 application fee and \$100.00 per hour service fee after the first hour to a maximum of \$500.00
Development and Issuance of Alberta Fire Code Written Specific Rulings requested by the owner or designer of a product, system or building regulated by the Alberta Fire Code.	\$100.00 application fee and \$100.00 per hour service fee after the first hour to a maximum of \$500.00
Development and Issuance of Written Responses to Alberta Fire Code inquiries requested by the owner or designer of the product, system, or building regulated by the Alberta Fire Code.	\$100.00 application fee and \$100.00 per hour service fee after the first hour to a maximum of \$500.00
Letters of Summary to Lawyers to Insurance Companies for Fire Investigation Information or Fire Safety Searches.	\$200.00 per summary letter or search report.

SCHEDULE B OF SUB-SCHEDULE 3

<u>SERVICES</u>	<u>FEES</u>
Expert Witness Services - Civil Litigation.	\$100.00 per hour to a maximum of \$1,000.00 per day
Fire Investigation Services in Municipalities in Alberta.	\$250.00 per incident plus \$100.00 per hour after the 7th hour plus contracted expenses for services or equipment necessary to complete the investigation
Fire Investigation Services to Extra-Provincial and Federal Jurisdictions.	\$140.00 per hour plus expenses
Fire Investigation Services for Insurance Companies, Law Firms, Individuals and Other Government Departments.	\$100.00 per hour plus expenses
Fire Inspection Services in Alberta.	\$ 80.00 per hour
Fire Inspection Services to Extra-Provincial Jurisdictions or Federal Jurisdictions.	\$125.00 per hour plus expenses
Occupant Load Calculation and Certificate Issuance.	\$100.00 per certificate

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SCHEDULE "B"
TO BYLAW 8-2014

<i>OFFENCE</i>	<i>SECTION</i>	<i>FINE</i>
Unauthorized Burning Without a Permit	8	\$250.00
Use of Unapproved Fire Pit	8.8	\$100.00
Use of Unapproved Fireplace	8.9	\$100.00
Unattended Firepit/Fireplace	8.10 (3)	\$100.00
Burning Unauthorized Material	8.11	\$100.00
Discharge of Fireworks in Public Place	9.1	\$100.00
Unauthorized use of Fireworks	9.2	\$100.00
Unauthorized use of Fireworks During Ban	9.4	\$400.00
Impede, Obstruct, or Hinder	13.1 (1)	\$250.00
Damage or Destroy Equipment	13.1 (2)	\$500.00
Drive Vehicle Over Equipment	13.1 (3)	\$250.00
Unauthorized Entry	13.1 (4)	\$250.00
False Representation	13.1 (6)	\$500.00
Obstruction for Fire Fighting	13.1 (7)	\$500.00
Unauthorized Burning	13.1 (9)	\$500.00
Failure to Respond	13.1 (10)	\$500.00
Permit Running Fire	13.1 (11)	\$500.00
Failure to Provide Precautions	13.1 (12) (13) (14)	\$500.00
Cause Fire	13.1 (15) (16)	\$500.00
False Statcmnt	13.1 (17)	\$250.00
Unauthorized Use	13.1 (18)	\$500.00
Impede Visibility	13.1 (19)	\$500.00
Illegal Burning	13.1 (20)	\$500.00
Unauthorized Burning	13.1 (21)	\$500.00